

Message Text

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ORIGIN SS-15

INFO OCT-01 ISO-00 AF-10 ARA-14 EA-12 EUR-12 NEA-10
IO-14 SIG-03 CIAE-00 DODE-00 PM-05 H-02 INR-10
L-03 NSAE-00 NSC-05 PA-02 SP-02 ICA-20 OES-09
HA-05 SNM-05 DEAE-00 PPTE-00 CA-01 PER-05 FSE-00
AID-05 PC-05 SPTA-02 EB-08 FTC-01 FSI-04 TRSE-00
OMB-01 /191 R

DRAFTED BY M:MGINSBERG
APPROVED BY M:BHREAD; H:DGBENNET
-----059046 200755Z /23

R 190147Z AUG 78
FM SECSTATE WASHDC
TO ALL DIPLOMATIC AND CONSULAR POSTS
CINCPAC HONOLULU HAWAII 0000
CINCUSAFE RAMSTEIN GR
CINCUSAREUR HEIDELBERG GR
USDOCOSOUTH NAPLES IT
CINCUSANAVEUR LONDON
CINCLANT NORFOLK VA

UNCLAS STATE 211404

INFORM CONSULS MILITARY ADDEES FOR POLADS ONLY

E.O. 11652: N/A

TAGS: ACMM, PGOV

SUBJECT: FY 79 STATE DEPARTMENT AUTHORIZATION

1. HOUSE-SENATE CONFEREES AUGUST 7 COMPLETED ACTION ON THE
FISCAL YEAR 1979 STATE DEPARTMENT AUTHORIZATION BILL. THE
HOUSE INTERNATIONAL RELATIONS SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS WILL FILE ITS CONFERENCE REPORT BEFORE THE HOUSE
RECESS, AUGUST 18. A FINAL FLOOR VOTE IS NOT EXPECTED
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UNTIL AFTER THE RECESS. THE BILL MAY BE VETOED.

2. HIGHLIGHTS OF LEGISLATION:

--"THIRD AGENCY RULE" - SENATE SECTION 108: THE SENATE
RECEDED FROM ITS AMENDMENT WHICH WOULD HAVE ABOLISHED THE
SO-CALLED "THIRD AGENCY RULE". CONFEREES ACCEPTED COMPROMISE
STATEMENT OF MANAGERS LANGUAGE, SUPPORTED BY THE
ADMINISTRATION, WHICH ESTABLISHES A PROCEDURE FOR THE SFRC
TO OBTAIN INFORMATION ON CLASSIFIED DOCUMENTS WHICH IT HAS

REQUESTED FROM A "THIRD AGENCY".

--U.N. CONFERENCE ON SCIENCE & TECHNOLOGY -- SENATE
SECTION 105, HOUSE SECTION 420: CONFEREES AGREED TO ADOPT
THE HOUSE EARMARK OF DOLS 945,000 FOR STATE DEPARTMENT

EXPENSES IN CONJUNCTION WITH THE CONFERENCE AND THE
SENATE LANGUAGE EXPRESSING THE SENSE OF THE SENATE THAT
THE U.S. SHOULD STRONGLY SUPPORT THE CONFERENCE. THE
ADMINISTRATION OPPOSED THE EARMARKING OF FUNDS.

--ASSISTANCE FOR REFUGEES IN AFRICA - HOUSE SECTION
107: THE SENATE RECEDED TO THE HOUSE PROVISION EARMARK-
ING ASSISTANCE TO REFUGEES IN AFRICA. HOWEVER, THE
CONFEREES REDUCED THE EARMARKING FROM DOLS 10 MILLION TO
DOLS 5 MILLION. THE ADMINISTRATION OPPOSED THE EARMARK-
ING OF FUNDS.

--CONSOLIDATION OF ADMINISTRATIVE SERVICES - HOUSE
SECTION 110: THE SENATE RECEDED TO THE HOUSE PROVISION
WHICH PROVIDES AUTHORITY FOR THE DEPARTMENT TO CONSOLIDATE
ADMINISTRATIVE SERVICES PERFORMED IN COMMON BY THE
DEPARTMENT AND OTHER FEDERAL AGENCIES.
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--PALESTINIAN RIGHTS UNIT - HOUSE SECTION 114, SENATE
SECTION 101: THE SENATE RECEDED FROM ITS AMENDMENT PRO-
HIBITING FUNDING OF THIS UNIT FROM THE PORTION OF OUR
U.S. ASSESSED CONTRIBUTION TO THE UNITED NATIONS AND
ADOPTED THE MORE ACCEPTABLE HOUSE LANGUAGE, WHICH THE
ADMINISTRATION SUPPORTED.

--ASSISTANT SECRETARY FOR NARCOTICS - HOUSE SECTION
116, SENATE SECTION 135: THE SENATE RECEDED TO THE
HOUSE PROVISION (WHICH THE ADMINISTRATION PREFERRED)
ESTABLISHING AN ASSISTANT SECRETARY FOR NARCOTICS.

--LIMITATION ON GEOGRAPHICAL TRAVEL RESTRICTIONS -
SENATE SECTION 115: THE HOUSE RECEDED WITH AN AMENDMENT
TO THE SENATE PROVISION WHICH PROHIBITS RESTRICTIONS ON
TRAVEL BY U.S. CITIZENS TO ANY NATION UNLESS THAT NATION
IS AT WAR WITH THE U.S. OR A SERIOUS HEALTH PROBLEM
EXISTS IN THAT NATION.

--ICA NAME CHANGE - SENATE SECTION 203: THE SENATE
RECEDED ON ITS AMENDMENT WHICH WOULD HAVE CHANGED THE NAME
OF ICA TO THE UNITED STATES AGENCY FOR INFORMATION AND
CULTURAL EXCHANGE.

--DEFINITION OF CHIEF OF MISSION - HOUSE SECTION 401:
THE SENATE RECEDED TO THE HOUSE PROVISION WHICH EXPANDS
THE DEFINITION OF "CHIEF OF MISSION" TO INCLUDE THE HEAD

OF ANY U.S. OFFICE ABROAD, DESIGNATED BY THE SECRETARY,
WHICH IS DIPLOMATIC IN NATURE, IN ORDER TO CLARIFY THE
AUTHORITY AND RESPONSIBILITIES OF SUCH PERSONS, WHETHER

OR NOT THAT PERSON IS AN AMBASSADOR. THIS FINAL BILL
ALSO SUBSTITUTES "CHIEF OF MISSION" FOR "AMBASSADOR" IN
SECTION 16 OF PL 93-475 (AUTHORITY AND RESPONSIBILITY
OF AMBASSADORS).
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--ASSIGNMENTS TO PUBLIC OR PRIVATE NON-PROFIT ORGANI-
ZATIONS HOUSE SECTION 404, SENATE SECTION 114: THE SEN-
ATE RECEDED TO THE HOUSE AMENDMENT WHICH PROVIDES FOR
THE EXPANSION OF THE SO-CALLED PEARSON PROGRAM.

--REST AND RECUPERATION TRAVEL - SENATE SECTION 127:
THE HOUSE RECEDED WITH AN AMENDMENT TO THE SENATE PRO-
VISION WHICH PERMITS FOREIGN AFFAIRS AGENCY EMPLOYEES
AND THEIR DEPENDENTS WHO ARE ELIGIBLE FOR R&R TO ELECT
TO HAVE THEIR ROUND-TRIP TRANSPORTATION PAID TO THE U.S.,
RATHER THAN TO "OTHER LOCATIONS ABROAD" AS IS THE PRESENT
CASE. THE HOUSE AMENDMENT MAKES THE AUTHORITY DISCRE-
TIONARY BY THE SECRETARY.

--SPECIAL COMPUTATION OF ANNUITIES - "THE HIGH ONE" -
HOUSE SECTION 407: THE SENATE RECEDED TO THE HOUSE PRO-
VISION WHICH AUTHORIZES THE SO-CALLED "ONE YEAR HIGH".
CONG. FASCELL, OVER ADMINISTRATION OBJECTION, INSISTED
ON THE INCLUSION OF THE PROVISION. (NOTE: THE ADMINIS-
TRATION HAD OPPOSED THIS SECTION AS SETTING A POTENTIALLY
HIGHLY COSTLY GOVERNMENT-WIDE PRECEDENT AND HAD INDICATED
THAT ITS RETENTION MIGHT INCUR A VETO.)

--OVERTIME COMPENSATION - PREMIUM PAY - THE "PELL
AMENDMENT" SPECIAL ALLOWANCES: THE SENATE RECEDED TO THE
HOUSE SECTION AUTHORIZING THE SECRETARY TO PAY A SPECIAL
ALLOWANCE FOR SUBSTANTIAL EXTRA DUTY REGULARLY REQUIRED
OF FSO'S AND FSIO'S. THE CONFEREES HAVE AGREED THAT IN
APPLYING THE AUTHORITY GRANTED IN THIS SECTION, THE
SECRETARY "SHOULD ENSURE THAT NO OFFICER WORKING IN THE
IMMEDIATE OFFICE OF A PRINCIPAL OFFICER IN THE DEPARTMENT
I.E. PERSONS PAID AT EXECUTIVE LEVELS I, II, OR III,
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WOULD BENEFIT FROM THE SPECIAL ALLOWANCE AND THAT THE
GRADES OF THE POSITIONS ELIGIBLE FOR CONSIDERATION FOR
THE SPECIAL ALLOWANCE SHOULD BE LIMITED TO CLASSES FSO
8-4. THERE ARE OTHER, ADDITIONAL LIMITATIONS. THIS
AUTHORITY IS MORE RESTRICTIVE THAN EXISTING PREMIUM PAY
RULES.

THE CONFEREES AGREED TO PERMIT THE SO-CALLED PELL AMENDMENT BANNING PREMIUM PAY FOR FSO'S AND FSIO'S ON OCTOBER 1, 1978, TO REMAIN LAW, MINUS THE DOLS 250 PAY INCREASE.

--REPORTING TO THE CHIEF OF MISSION - SENATE SECTION 119(2): CONFEREES AGREED TO ADOPT CONFERENCE REPORT LANGUAGE IN LIEU OF THIS SECTION (WHICH REQUIRED ALL EMPLOYEES OF THE U.S. GOVERNMENT TO KEEP THE CHIEF OF MISSION FULLY INFORMED OF THEIR ACTIVITIES "NOTWITHSTANDING ANY OTHER PROVISION OF LAW"). THE CONFERENCE REPORT WILL EXPRESS THE BELIEF THAT SECTION 119 IS NOT NECESSARY SINCE THE ADMINISTRATION HAS AGREED THAT THE LEGISLATION ESTABLISHING THE BASIC AUTHORITY OF AMBASSADORS (P.L. 93-475) MEANS THAT DISCLOSURE OF INTELLIGENCE INFORMATION TO CHIEFS OF MISSION IS AUTHORIZED WITHIN THE MEANING OF THE NATIONAL SECURITY ACT OF 1947.

--DETAILING STATE DEPARTMENT PERSONNEL - HOUSE SECTION 411: THE SENATE RECEDED TO THE HOUSE PROVISION WHICH EXTENDS FROM 90 DAYS TO ONE YEAR THE MAXIMUM PERIOD AN OFFICER CAN BE DETAILED TO ANOTHER EXECUTIVE AGENCY WITHOUT REIMBURSEMENT TO THE DEPARTMENT.

--SCIENCE AND TECHNOLOGY - TITLE V OF HOUSE BILL: TITLE V OF THE HOUSE VERSION PRESENTS FOUR FINDINGS OF THE CONGRESS ON THE IMPORTANCE OF SCIENCE AND TECHNOLOGY TO AMERICAN FOREIGN POLICY:

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(1) THE CONSEQUENCES OF SCIENCE AND TECHNOLOGY REQUIRE APPROPRIATE KNOWLEDGE AND UNDERSTANDING OF THESE FIELDS IN ORDER TO CONDUCT EFFECTIVE DIPLOMACY;

(2) MANY OPPORTUNITIES IN DIPLOMACY LIE IN THE SCIENTIFIC AND TECHNOLOGICAL FIELDS;

(3) INDIVIDUALS AND ORGANIZATIONS CONCERNED WITH S&T SHOULD BE CONSULTED IN THE FORMULATION, IMPLEMENTATION AND EVALUATION OF FOREIGN POLICY; AND

(4) EFFECTIVE APPLICATION OF SCIENCE AND TECHNOLOGY TO PROBLEMS OF INTERNATIONAL RELATIONS REQUIRES LONG-RANGE PLANNING.

THE ADMINISTRATION OPPOSED SECTION 504 (WHICH EXPLAINS THE AUTHORITY OF THE SECRETARY OF STATE UNDER TITLE V), SECTION 505 (EARMARKING OF FUNDS), AND REQUESTED REVISION OF SECTION 503 (RESPONSIBILITIES OF THE PRESIDENT).

CONFEREES AGREED TO ACCEPT THE HOUSE TITLE V LANGUAGE WITH SEVERAL AMENDMENTS WHICH ALLEVIATE SOME OF THE ADMINISTRATION'S OBJECTIONS TO THE ABOVE MENTIONED SECTIONS, PARTICULARLY THOSE PROVISIONS WHICH ADDRESS INTER-AGENCY

ROLES IN TITLE V.

--PANAMA CANAL - HOUSE SECTION 606: THE SENATE RECEDED WITH AN AMENDMENT TO THE HOUSE PROVISION WHICH EFFECTIVELY NEUTRALIZES THE IMPACT OF THIS HOUSE SECTION. THE SENATE AMENDMENT AS ADOPTED, WOULD HAVE SECTION 606 READ: "NONE OF THE FUNDS HEREIN AUTHORIZED TO BE APPROPRIATED SHALL BE USED DIRECTLY OR INDIRECTLY TO EFFECT UNCLASSIFIED

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IMPLEMENTATION OF THE PANAMA CANAL TREATIES OF 1978, UNLESS AUTHORIZED BY THE CONSTITUTION OR BY ACT OF CONGRESS."

--CONSOLIDATION OF FOREIGN RELATIONS LAW - SENATE SECTION 406: THE SENATE RECEDED FROM ITS AMENDMENT WHICH WOULD HAVE MANDATED THAT THE DEPARTMENT SUBMIT NO LATER THAN JANUARY 20, 1979 RECOMMENDED REVISIONS AND CONSOLIDATION OF ALL FOREIGN RELATIONS LAW. CONFEREES AGREED TO CONFERENCE REPORT LANGUAGE WHICH WILL REQUEST THE DEPARTMENT TO WORK WITH THE HIRC AND SFRC TO PRODUCE A CONSOLIDATION BY 1980.

--REVIEWING DISCRIMINATORY TRADE PRACTICES - SENATE SECTION 410: THE HOUSE RECEDED WITH AN AMENDMENT TO THIS SENATE PROVISION WHICH REQUIRED A REPORT FROM THE DEPARTMENT IDENTIFYING ALL DISCRIMINATORY TRADE STATUTES AND REGULATIONS AND SUGGESTED AMENDMENTS TO THESE STATUTES. THE HOUSE AMENDMENT DELETED ADMINISTRATION-OPPOSED LANGUAGE IN THE PROVISION REGARDING THE NATURE OF DISCRIMINATORY PROVISIONS IN THE LAW.

--NORMAL DIPLOMATIC RELATIONS - SENATE SECTION 411: THE HOUSE RECEDED WITH AN AMENDMENT TO THIS SECTION WHICH REQUIRES A REPORT TO THE CONGRESS IDENTIFYING THOSE COUNTRIES WITH WHICH THE U.S. DOES NOT HAVE DIPLOMATIC RELATIONS AND SETTING FORTH THE REASONS THEREFOR. THE HOUSE AMENDMENT DELETED ADMINISTRATION-OPPOSED LANGUAGE WHICH WOULD HAVE IMPEDED THE FLEXIBILITY OF THE EXECUTIVE BRANCH IN ITS DEALINGS WITH FOREIGN GOVERNMENTS ON NORMALIZATION OF RELATIONS.

--ATROCITIES IN CAMBODIA AND UGANDA - SENATE SECTION 417: THE HOUSE RECEDED TO THIS SENATE PROVISION WHICH URGES THE PRESIDENT TO CONDEMN AND WORK FOR AN ALLEVIATION OF HUMAN RIGHTS VIOLATIONS IN CAMBODIA AND UGANDA. UNCLASSIFIED

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--REPORTING AND COORDINATION OF INTERNATIONAL AGREEMENTS - SENATE SECTION 501: SECTION 501 OF THE SENATE VERSION AMENDS THE CASE-ZABLOCKI ACT BY REQUIRING THAT:

(A) ALL ORAL AGREEMENTS BE REDUCED TO WRITING AND SUBMITTED TO CONGRESS;

(B) A WRITTEN REPORT SIGNED BY THE PRESIDENT WITH RESPECT TO ALL AGREEMENTS TRANSMITTED AFTER THE 60 DAY PERIOD STIPULATED BY THE ACT;

(C) NO INTERNATIONAL AGREEMENT BE SIGNED WITHOUT THE PRIOR APPROVAL OF THE SECRETARY OF STATE OR THE PRESIDENT; AND

(D) THE SECRETARY OF STATE DETERMINE FOR THE EXECUTIVE BRANCH WHETHER AN ARRANGEMENT CONSTITUTES AN INTERNATIONAL AGREEMENT WITHIN THE MEANING OF THE CASE-ZABLOCKI ACT.

THE HOUSE RECEDED WITH AN AMENDMENT TO THIS SENATE PROVISION. THE HOUSE AMENDMENT SUBSTITUTED THE WORDS: "CONSULTATION WITH" FOR THE WORDS: "APPROVAL OF" IN DEFINING THE ROLE OF THE STATE DEPARTMENT, PER THE ADMINISTRATION'S REQUEST. IT ALSO INSERTED THE WORD "INTERNATIONAL" BEFORE "ORAL AGREEMENT". THE CONFERENCE REPORT EXPLAINS THAT THE "ORAL AGREEMENT" PROVISION WAS INCLUDED MERELY TO CODIFY THE CURRENT EXECUTIVE BRANCH PRACTICE OF ATTEMPTING TO REDUCE ORAL INTERNATIONAL AGREEMENTS OF CONSEQUENCE TO WRITING AND TRANSMITTING THEM TO CONGRESS.

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--COMMISSION ON HUNGER AND MALNUTRITION - SENATE SECTION 419: CONFEREES AUTHORIZED AN APPROPRIATION OF DOLS 1.5 MILLION FOR FISCAL YEARS 1979 AND 1980 FOR A COMMISSION ON GLOBAL HUNGER AND MALNUTRITION.

--UNDER SECRETARY FOR MANAGEMENT: BOTH HOUSE AND SENATE VERSIONS CONTAIN AUTHORIZATION TO ELEVATE THE POSITION OF THE DEPUTY UNDER SECRETARY FOR MANAGEMENT TO THE UNDER SECRETARY FOR MANAGEMENT.

--RHODESIA - SENATE SECTION 427: THE SENATE CHOSE TO RECEDE FROM ITS AMENDMENT WHICH EXPRESSED A SENSE OF THE SENATE THAT THE U.S. SHOULD ASSIST IN THE PROCESS OF RECONCILIATION IN RHODESIA. NO FOREIGN POLICY MOTIVATION SHOULD BE ATTACHED TO THE CONFEREES ACTION.

--DIPLOMATIC RELATIONS WITH ANGOLA - SENATE SECTION 425: THE SENATE RECEDED FROM ITS AMENDMENT WHICH WOULD HAVE PROHIBITED THE USE OF AUTHORIZED FUNDS TO ESTABLISH DIPLOMATIC RELATIONS WITH ANGOLA. THE ADMINISTRATION

OPPOSED THIS PROVISION.

--CUBAN PRESENCE IN AFRICA - SENATE SECTION 426: SENATE SECTION 426 WHICH EXPRESSED A SENSE OF THE CONGRESS THAT THE PRESENT SHOULD SEVER DIPLOMATIC AND ECONOMIC RELATIONS WITH CUBA UNTIL CUBA REMOVES ITS MILITARY FORCES FROM AFRICA, WAS AMENDED BY A HOUSE SUBSTITUTE WHICH THE ADMINISTRATION SUPPORTS, AND WHICH EXPRESSES THE FOLLOWING: "...IT IS THE SENSE OF THE CONGRESS THAT THE PRESIDENT SHOULD: 1) UNDERTAKE A COMPREHENSIVE REVIEW OF U.S. DIPLOMATIC AND ECONOMIC RELATIONS WITH CUBA; AND 2) NOT LATER THAN JANUARY 20, 1979, TRANSMIT TO THE FOREIGN AFFAIRS COMMITTEES OF THE CONGRESS A REPORT BASED ON SUCH REVIEW."

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--COMPENSATORY TIME OFF - SENATE SECTION 111, HOUSE SECTION 412: BOTH HOUSE AND SENATE VERSIONS CONTAIN AUTHORITY FOR GRANTING COMPENSATORY TIME OFF TO EMPLOYEES ABROAD FOR REGULARLY SCHEDULED OVERTIME WORK AT ISOLATED POSTS UNDER REGULATIONS PRESCRIBED BY THE SECRETARY.

THE AMENDMENTS ARE DESIGNED TO FACILITATE: 1) ACCUMULATION OF COMP TIME BY EMPLOYEES ASSIGNED TO DESOLATE POSTS SUCH AS THE SINAI FIELD MISSION WHO MUST REGULARLY WORK LONG HOURS AND WHO NEED OCCASIONAL TIME OFF FOR R&R, AND 2) THE SCHEDULING OF ALTERNATIVE WORK WEEKS SUCH AS 4-1/2 DAY WEEKS FOR EMPLOYEES WHO SO REQUEST IT AT POSTS WHERE THIS IS DESIRABLE IN ORDER TO COPE WITH SPECIAL LOCAL CONDITIONS.

--SPECIAL PER DIEM FOR PROTECTIVE SECURITY DETAILS - SENATE SECTION 113, HOUSE SECTION 409: BOTH HOUSE AND SENATE AMENDMENTS APPROVE AUTHORITY TO REIMBURSE FOREIGN SERVICE EMPLOYEES ON PROTECTIVE SECURITY DETAILS IN THE U.S. FOR THE COST OF LODGING PLUS UP TO DOLS 24 PER DAY PER DIEM.

--ORIENTATION AND LANGUAGE TRAINING FOR DEPENDENTS - SENATE SECTION 121, HOUSE SECTION 406: THE HOUSE RECEDED TO THE SENATE VERSION WITH AN AMENDMENT WHICH FACILITATES DEPENDENT TRAINING. AUTHORIZATION FOR PAYMENT OF UP TO DOLS 300 MONTHLY FOR NECESSARY COSTS INCURRED IN CONJUNCTION WITH ATTENDANCE AT FSI ORIENTATION AND LANGUAGE COURSES WAS APPROVED IN ADDITION TO AUTHORIZATION TO

PARTIALLY REIMBURSE TUITION EXPENSES OF DEPENDENTS OF
FOREIGN SERVICE EMPLOYEES UNABLE TO ATTEND FSI SPONSORED
CLASSES.

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--EFFICIENCY IN TRAVEL - SENATE SECTION 112: THE
HOUSE RECEDED TO THE SENATE PROVISION WHICH A H R I Z S
THE USE OF FOREIGN AIRLINES BETWEEN POINTS ABROAD. CON-
FERENCE REPORT LANGUAGE ADOPTED BY THE CONFEREES MANDATES
THE CONTINUED USE OF AMERICAN LINES WHEN "REASONABLE".

3. SUMMARY OF AUTHORIZATIONS APPROVED BY CONFEREES:

-- DOLS

"ADMINISTRATION OF FOREIGN AFFAIRS"849,118,000
(PLUS 19 MILLION ABOVE BUDGET REQUEST)

"INTERNATIONAL ORGANIZATIONS AND CON-
FERENCES.....412,826,000
(PLUS 45,000 ABOVE BUDGET REQUEST)

"MIGRATION AND REFUGEE ASSISTANCE"116,536,000
(PLUS 25.7 MILLION ABOVE BUDGET REQUEST)

TOTAL STATE DEPARTMENT AUTHORIZATION.....1,399,253,000

TOTAL FOREIGN RELATIONS AUTHORIZATION
(INCLUDING ICA).....1,969,710,000

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 26 sep 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: US CONGRESSIONAL HEARINGS, DEPARTMENTAL APPROPRIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 19 aug 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE211404
Document Source: ADS
Document Unique ID: 00
Drafter: M:MGINSBERG
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
Film Number: D780340-0925
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197808122/baaaezol.tel
Line Count: 416
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: fcd3f759-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 8
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: ONLY
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1588585
Secure: OPEN
Status: NATIVE
Subject: FY 79 STATE DEPARTMENT AUTHORIZATION
TAGS: ACMM, PGOV
To: ALL DIPLOMATIC AND CONSULAR POSTS CINCPAC HONOLULU HAWAII MULTIPLE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/fcd3f759-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014